

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

TOSIN ADEGBUJI,

Plaintiff,

v.

MIDDLESEX COUNT DEPT. OF
CORRECTIONS, ET AL.

Defendants.

Civil Action No. 03-cv-1757 (PGS)

ORDER

This matter comes before the Court on Plaintiff's application for an extension of time to reopen his case. The Court has considered the submission and finds as follows.

WHEREAS the Plaintiff's case was dismissed on January 7, 2008;

WHEREAS the Court granted Plaintiff permission to reopen this case on or before June 30, 2008 if he provided documents and/or other evidence that he may enter the United States to prosecute his suit;

WHEREAS on June 2, 2008, Plaintiff submitted correspondence from the United States Embassy in London setting an interview date of August 29, 2008 for Plaintiff to present his application for a waiver and visa to enter the United States;

WHEREAS on July 22, 2008, upon consideration of Plaintiff's first unopposed Motion, this Court issued an Order granting Plaintiff an extension until November 1, 2008 to provide the Court

with documents and/or evidence of when and under what circumstances Plaintiff may enter the United States;

WHEREAS after the August 29, 2008 interview, the Consular Officer from the United States Embassy in the United Kingdom declined to recommend a waiver of Plaintiff's inadmissibility;

WHEREAS Defendants are prejudiced by further delay due to non-availability and fading memories of witnesses;

IT IS on this 28th day of October, 2008;

ORDERED that Plaintiff's application for an extension to provide the Court with documents and/or evidence of when and under what circumstances Plaintiff may enter the United States is hereby denied.

October 28, 2008



PETER G. SHERIDAN, U.S.D.J.